

REMARKS

Claims 1-3 and 5-67 are pending in the application. Claims 2, 3 and 5-65 are allowed. Claims 1, 66 and 67 are rejected. Claims 2, 3, and 5-65 remain.

It is asserted in the Office Action that Claim 1 is rejected under 35 USC 102(b) as being anticipated by Saito et al. (US 5,940,432). While Applicant appreciates the indication of allowability of Claims 2, 3 and 5-65, Applicant believes that Claim 1, and its dependent claims 66 and 67 are also allowable over the prior art for the following reasons.

Claim 1 is directed to a spread-spectrum demodulator which includes as an element a spread code generation control section which changes a shifting direction of the spreading code relative to the spread signal every time a peak is detected by the claimed peak signal detecting section. That is, the shifting direction of the spreading code is changed every time a peak of the output of the correlation value computing section is detected, i.e., every time the spread signal and a spreading code coincide in phase with each other.

By way of contrast, the function of the initial capturing section 82 shown in Fig. 11 of Saito et al. is not to change the shifting direction of the spreading code every time the peak of the output of the correlation value computing section is detected, but it is arranged so that the initial capturing mode is set and held until the electric power level of the correlation value reaches the threshold and when the electric power level goes above the threshold the mode is changed from the initial capturing mode to the clock tracking mode to change the selection switch 826 over to the clock tracking section 83 side. The clock tracking section 83 generates a signal for directing whether the clock phase should be advanced or delayed to bring the spread signal into coincidence in phase with the spreading code.

Therefore, Saito et al. does not teach or suggest a spreading code generation control section as defined by Applicant in Claim 1. Since to maintain a rejection under 35 USC 102(b), the prior art must teach each of the elements of the claimed invention, reconsideration and withdrawal of the rejection under 35 USC 102(b) of Claim 1 is respectfully requested.

It is asserted in the Office Action that Claim 66 is rejected under 35 USC 103(a) as being unpatentable over Saito et al. (U.S. 5,940,432), in view of Hiramatsu et al. (U.S. 5,031,191). Claim 67 is rejected under 35 USC 103(a) as being unpatentable over Saito et al., in view of Uchida et al. (U.S. 6,366,603). However, since Claims 66 and 67 depend from Claim 1, and since neither Hiramatsu et al. nor Uchida et al. teach or suggest a spreading code generation

control section which changes a shifting direction of the spreading code relative to the spread signal every time a peak is detected by said peak signal detecting section, reconsideration and withdrawal of the rejection of Claims 66 and 67 under 35 USC 103(a) is respectfully requested.

Applicant submits that all claims pending for examination, namely claims 1-3, and 5-67 are now in condition for allowance, which early Action is requested.

If there are any fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. If a telephone interview would expedite the prosecution of this Application, the Examiner is invited to contact the undersigned at (310) 207-3800.

Respectfully submitted,

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Dated: _____

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